

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MAURICE CHARLESTON,

Petitioner,

v.

AHMED HOLT,

Respondent.

CIVIL ACTION FILE
NO. 1:15-CV-1960-TWT

ORDER

This is a pro se habeas corpus action. It is before the Court on the Report and Recommendation [Doc. 30] of the Magistrate Judge recommending that the Petition be denied. There is no constitutional right to counsel in habeas corpus proceedings. Murray v. Giarratano, 492 U.S. 1, 7-8 (1989); Hill v. Jones, 81 F.3d 1015, 1024 (11th Cir. 1996). In federal habeas corpus proceedings, appointment of counsel is necessary only when due process or “the interests of justice “ requires it. 18 U. S. C. § 3006A(a)(2)(B); Hooks v. Wainwright, 775 F. 2d 1433, 1438 (11th Cir. 1985). The Petitioner is not entitled to equitable tolling of the limitations period because he was waiting for the Magistrate Judge to appoint counsel for him. The Court approves and

adopts the Report and Recommendation as the judgment of the Court. The Petition is DENIED. No Certificate of Appealability will be issued.

SO ORDERED, this 9 day of June, 2016.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge